

To whom it may concern;

Good day ladies and gentlemen and thank you for the opportunity to submit this letter to the Law Amendments Committee.

My name is Bernie Berry and I am the Senior Fisheries Advisor to Coldwater Lobster Association which is based in Yarmouth ,Nova Scotia and represent lobster fisherman from Lobster Fishing Area (LFA) 34.

This letter will focus on the Fisheries Coastal Resources Act and the proposed amendments to subsection 116,Chapter 25 of the acts of 1996 and the amendments to act in 1999 and the further amendments proposed around the penalties in the act.

As you know ,lobster is the main export of Nova Scotia with an export value in the billions of dollars. It is the main economic driver of most of Nova Scotia's coastal communities. It provides tens of thousands of jobs directly or indirectly to local residents.

To maintain a strong and viable fishery that is based on conservation and sustainability a major component of this is a strong and robust regulatory and enforcement regime ,both federal and provincially. The province has jurisdiction over most of the activity that takes place on the shore side of the industry because the province through Nova Scotia Fisheries issues the buying and processing licenses and enforces the regulations through a suite of conditions of license .There are penalties if a license holder is convicted in court of circumventing any of these regulations or conditions of license.

The amendments to the act is focused on raising the upper limits of the fines that a judge can consider from one hundred thousand dollars maximum to one million dollars maximum. While this is welcome news to the industry, the amendments do not go far enough.

For the more serious violations and repeat offenders there should be firmer guidelines put in place. Some of the penalties should involve a minimum of two hundred thousand dollars for repeat and serious offenses. Once a judge has levied

a fine ,the individual should have no more than twelve months to pay in full the fine imposed. In cases when fines are not paid on time license suspensions must happen. In certain instances the license should be suspended at the time of conviction. There also must be the option of incarceration for a period of time for convictions of buying product from an unlicensed and unregulated source.

The industry along with the province's help has established international markets for our product. The Illegal, Unreported and Unregulated (IUU) buying of seafood and the sale of seafood is an international problem that can carry incredible negative consequences to any countries markets if they are deemed to have loopholes in there regulatory regimes that allow this product on international markets. Nova Scotia could literally lose our economic engine for rural communities if international markets believe we are allowing product that is not under our regulatory regime to enter the market place.

The industry needs in this case the Nova Scotia Fisheries to implement the most robust regulatory regime for the issuances of licenses and the penalties surrounding the non-compliance of the rules and conditions of those licenses .The penalties have to be a deterrent not simply a slap on the wrist type penalty. Some of these offences could literally have negative impacts across the whole industry and its markets if not dealt with in a firm manner. The industry and the communities that rely on a strong and vibrant fisheries for their existence needs the province to enhance the penalty phase of license issuance and renewal.

Thank you

Bernie Berry-Senior Fishery Advisor ,Coldwater Lobster Association

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